

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

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WRIT PETITION NO : 24772 of 1995

Between:

M Bala Tripura Sundari, W/o. Sri Narasimha Rao,
R/o. Ananthapally, Nallzerla Mandal,
West Godavari District.

..... PETITIONER

AND

- 1 The State of Andhra Pradesh rep.by its Principal Secretary To Government Industries And Commerce Department, Secretariat Buildings, Saifabad, Hyderabad
- 2 The Director Of Mines And Geology, Government Of Andhra Pradesh B.R.K.R.Govt. Offices Complex Tank Bund Road, Hyderabad.
- 3 The Deputy Director Of Mines & Geology Government Of AP Kakinada, East Godavari District.
- 4 The Asst. Director of Mines & Geology, Govt., of AP Eluru, West Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or a direction more particularly one in the nature of Writ of Mandamus, (a) declaring the action of the 4th respondent herein in not restoring the leasehold rights in favour of the Writ Petitioner for quarrying the sand in Anantapally Village of Nallazerla Mandal in west Godavari District, duly considering the petition submitted by her on 4.10.95 as illegal, unjust, arbitrary and unsustainable, (b) and consequently direct the 4th respondent herein to restore the leasehold rights in favour of the writ petitioner for quarrying the sand in Anantapally Village of Nallazerla Mandal in West Godavari District by duly collecting the proportionate lease amount or the deficient amount after necessary calculation in that regard being made, taking into account the proportionate amounts already collected while

granting temporary permits.

Counsel for the Petitioner: MR.NOOTY RAMA MOHAN RAO

Counsel for the Respondents: G.P. for Industries & Commerce.

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.24772 OF 1995

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ORAL ORDER:

The learned counsel for the petitioner submits that the cause in this writ petition has become infructuous.

2. Recording the submission made by the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. However, there shall be no order as to costs.

----- D.S.R.VARMA, J

25TH NOVEMBER 2004

ISN/KRK

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The Principal Secretary To Government, State of Andhra Pradesh,
Industries And Commerce Department, Secretariat Buildings,
Saifabad, Hyderabad
- 2 The Director Of Mines And Geology, Government Of Andhra Pradesh
B.R.K.R.Govt. Offices Complex Tank Bund Road, Hyderabad.
- 3 The Deputy Director Of Mines & Geology Government Of AP
Kakinada, East Godavari District.
- 4 The Asst. Director of Mines & Geology, Govt., of AP
Eluru, West Godavari Dist.
5. Two CCs to G.P. for Industries & Commerce, High Court Buildings, Hyderabad (OUT).
6. Two CD copies

